

STATE OF TENNESSEE

Office of the Attorney General



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ATTORNEY GENERAL

Reply to:
Consumer Advocate and Protection Division
Attorney General's Office
P.O. Box 20207
Nashville, TN 37202

August 15, 2002

Sara Kyle, Chairman
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

Re: Petition to Suspend BellSouth Tariff
No. TN2002-01 and to Convene a
Contested Case Proceeding
Docket No. 02-00740

Dear Sara:

Enclosed is an original and fourteen copies of the Petition to Intervene in the above-referenced matter. Copies are being furnished to counsel of record for interested parties.

Sincerely,

A handwritten signature in black ink that reads "Vance C. Broemel".

VANCE BROEMEL
Assistant Attorney General

cc: Counsel of Record
57496

IN THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

IN RE:

PETITION TO SUSPEND BELL SOUTH TARIFF
NO. TN2002-01 AND TO CONVENE A
CONTESTED CASE PROCEEDING

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) DOCKET NO. 02-00740
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)

PETITION TO INTERVENE

Comes the Office of the Attorney General, through its Consumer Advocate and Protection Division (hereinafter "Attorney General"), pursuant to Tenn. Code Ann. § 65-4-118(c)(2)(A), and petitions to intervene in this case. For cause the Petitioner would show as follows:

1. The Attorney General is authorized by Tenn. Code Ann. § 65-4-118 (c)(2)(A) to initiate a contested case, and participate or intervene in proceedings to represent the interests of Tennessee consumers in accordance with the Uniform Administrative Procedures Act ("UAPA").
2. BellSouth ("BellSouth") is a company regulated by the Tennessee Regulatory Authority ("TRA"). BellSouth provides telecommunications service to consumers in the State of Tennessee.
3. In the tariff at issue, BellSouth is offering switched access service to interexchange carriers via "intrastate contract tariffs that are individually designed, priced and negotiated based on the customers' needs." Thus, the tariff is similar to a Contract Service Arrangement ("CSA") in that it seeks approval for a variation from the standard tariff rate.

4. A tariff for switched access, however, is very different from the types of CSA's for which BellSouth has previously sought approval, where BellSouth offers a variety of voice and data services to a company such as a bank or store.

5. Here, on the other hand, BellSouth is not dealing with a business such as a bank or store, but with another telecommunications company.

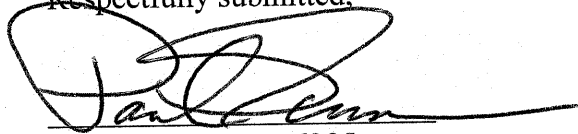
6. Furthermore, there is a possibility that such a CSA could be entered into with a BellSouth affiliate, thus triggering anti-competitive or unjust discrimination concerns.

Accordingly, the Attorney General seeks to intervene in order to oppose the proposed tariff and protect the public interest.

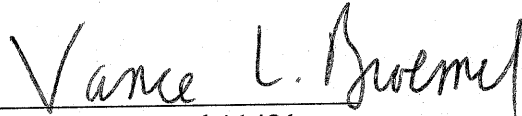
WHEREFORE, the Petitioner prays the TRA to grant its Petition to Intervene.

THIS the 15th day of August, 2002.

Respectfully submitted,



Paul G. Summers, 6285
Attorney General



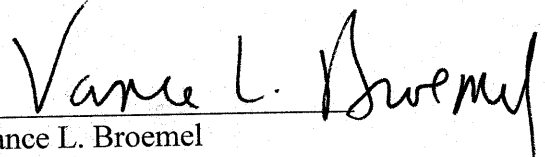
Vance L. Broemel, 11421
Assistant Attorney General
Consumer Advocate and Protection Division
P. O. Box 20207
Nashville, TN 37202
(615) 741-8733

Certificate of Service

I hereby certify that a true and correct copy of the Petition to Intervene was served on parties below via U. S. Mail, postage prepaid, this 15th day of August, 2002.

Henry Walker, Esq.
Boult, Cummings, Conners & Berry, PLC
414 Union Street, Suite 1600
P. O. Box 198062
Nashville, TN 37219

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BellSouth Telecommunications
333 Commerce St., Suite 2101
Nashville, TN 37201-3300


Vance L. Broemel